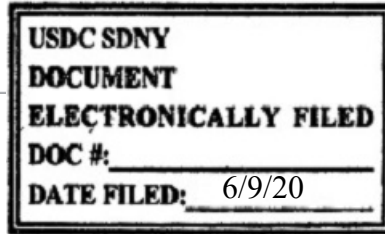


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June 2, 2020

**By ECF**

**Edward P. Boyle**  
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Honorable Barbara C. Moses  
United States District Court  
Southern District of New York  
New York, NY 10007

Re: ***Morgan Art Foundation Ltd. v. McKenzie*, No. 1:18-cv-4438-AT-BCM (“4438 Action”) and *Morgan Art Foundation Ltd. v. Brannan*, No. 1:18-cv-8231-AT-BCM (“8231 Action”)**

Dear Judge Moses:

I represent James Brannan as Personal Representative of the Estate of Robert Indiana (the “Estate”) in the action referenced above. Pursuant to Your Honor’s Individual Rule of Practice No. 3, and Section 6 of the SDNY ECF Rules and Instructions, I respectfully request leave to file under seal the attached letter, and exhibits, in furtherance of the Estate’s letter application dated May 26, 2020 (4438 Action ECF No. 273, 8231 Action ECF No. 108).

The ground for this motion is that Morgan Art Foundation Ltd., Figure 5 Art LLC, Shearbrook (US) LLC, RI Catalogue Raisonne LLC, and Simon Salama-Caro (collectively the “Morgan Parties”), have designated certain documents attached to that letter as “Confidential” under the Protective Order entered by Your Honor (4438 Action ECF No. 141, 8231 Action ECF No. 28).

With the exception of bank account numbers that have already been redacted from certain exhibits pursuant to Fed. R. Civ. P. 5.2(a), the Estate does not believe that the letter or any of its exhibits merit filing under seal.<sup>1</sup> We requested that counsel for the Morgan Parties consent to the public filing of the exhibits but have received no response.

The Court having received plaintiffs' letter, dated June 5, 2020 (Dkt. No. 290 in 18-CV-4438; Dkt. No. 112 in 18-CV-8231), consenting to the public filing of the letter and exhibits attached to this letter-motion (Dkt. No. 287 in 18-CV-4438; Dkt. No. 111 in 18-CV-8231), the Estate's application is DENIED. SO ORDERED.

Barbara Moses, U.S.M.J.  
June 9, 2020

Respectfully,

Edward P. Boyle

cc: All Counsel of Record (by ECF)

<sup>1</sup> Under Section 6 of the SDNY ECF Rules and Instructions, the partial redaction of bank account numbers in compliance with Fed. R. Civ. Proc. 5.2(a) does not require leave of the court.